

Order

Michigan Supreme Court
Lansing, Michigan

April 23, 2015

149671

Robert P. Young, Jr.,
Chief Justice

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

In re FILIBECK Estate.

HEIDI J. FILIBECK, Personal Representative of
the ESTATE of STEPHEN J. FILIBECK,
Plaintiff-Appellee,

v

LAURA J. BEAL,
Defendant-Appellant.

SC: 149671
COA: 315107
Menominee PC: 2011-000065-CZ

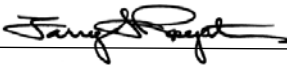
On order of the Court, the application for leave to appeal the June 5, 2014 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether a constructive trust was properly imposed where the defendant raised funds from third party donors to defray a relative's unexpected medical expenses for a life threatening condition, and those funds were placed in a credit union account in the defendant's own name, which she later withdrew for her personal benefit before the relative's death; (2) whether the decedent-beneficiary of the donated funds made a valid *inter vivos* or *causa mortis* gift of the funds to the defendant, including delivery of the funds to the defendant; and (3) if there was no such valid gift, whether the trial court erred in concluding that the remaining balance of donated funds must be paid to the decedent-beneficiary's estate, cf *Matter of Gonzalez*, 262 NJ Super 456, 460-463; 621 A 2d 94 (Ch Div 1992).



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 23, 2015


Clerk